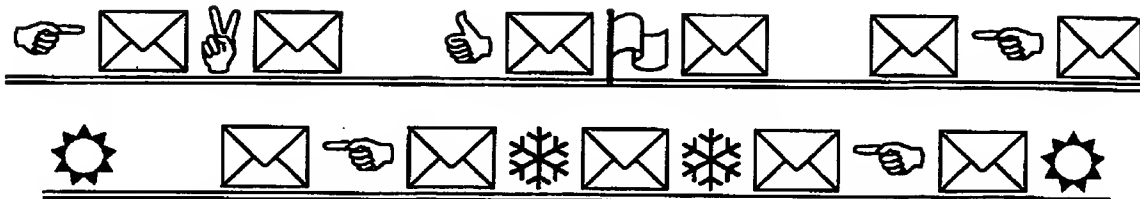


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Date : **December 6, 2004**  
To : **United State Patent and Trademark Office**  
Attention : **Examiner Tung S. Lau**  
Fax Telephone No : **703 872-9306**  
SERIAL NO. : **09/996,342**  
Enclosed : **Transmittal of RCE; 2 pages; Copy of Response D (20pages)PTO Form 2038 in the amount of \$885.00**  
Number of pages including this cover page : **24**

*Intof/let  
Missing pages  
20-24*

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:  <b>THOMAS EUGENE WACHURA</b>  SERIAL NUMBER: <b>09/996,342</b>  FILED: <b>November 21 2001</b>  FOR: <b>APPARATUS AND METHOD FOR SAMPLING EYE DIAGRAM WITH WINDOW COMPARATORS</b>	PATENT  ART UNIT NO.: <b>2863</b>  EXAMINER: <b>TUNG S. LAU</b>  Attorney Docket No.: <b>WASC1821</b>
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San Jose, California  
December 6, 2004

I hereby certify that this Response D and the documents referred to as enclosed therein is being FAXED to the Office at 703 872-9306 on December 6, 2004 to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Douglas A. Chaikin

Typed or printed name of person mailing paper or fee

Signature of person mailing paper

**RESPONSE D After Final Action Submitted**  
**Under 37 CFR §1.116(a)(b) (After Interview)**

Mail Stop: Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Responsive to the Examiner's Final Office Action of June 7, 2004, please enter the enclosed Response D as follows: